



15/015
Incoming
cc: Mary Ann
Daron

April 30, 2002

Daron Haddock
Mined Land Reclamation Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

RE: Loop Road Right-of-Way through Properties of Consolidation

Dear Mr. Haddock:

As per our discussion of April 24th at the Salt Lake City office of the Division of Oil, Gas and Mining, I am providing the information that was requested regarding Emery County's proposed "Loop Road" through Consolidation Coal Company's property at the Emery Mine.

a) Legal Description of the Right of Way

Beginning at a point which is S 89° 43' 05" W, 894.55 feet from the Northeast corner of the Northeast quarter of Section 32, Township 22 South, Range 6 East, Salt Lake Meridian; thence S 31° 47' 53" E, 294.93 feet to the beginning of a circular curve to the left having a radius of 1535.00 feet and an arc length of 3619.81 feet; thence Easterly, 3619.81 feet along said curve (chord bears N 80° 38' 42" E, 2837.48 feet); thence N 13° 05' 16" E, 1058.96 feet to the beginning of a circular curve to the right having a radius of 1500.00 feet and an arc length of 1386.81 feet; thence Northeasterly, 1386.81 feet along said curve (chord bears N 39° 34' 27" E, 1337.94 feet); thence N 66° 03' 37" E, 2924.54 feet to the beginning of a circular curve to the right having a radius of 1700.00 feet and an arc length of 713.06 feet; thence Easterly, 713.06 feet along said curve (chord bears N 78° 04' 35" E, 707.84 feet); thence S 89° 54' 26" E, 1378.49 feet to a point which is N 0° 13' 51" W, 949.81 feet and N 89° 54' 26" E, 1378.49 feet to a point which is N 0° 13' 51" W, 949.81 feet and N 89° 54' 26" W, 9.22 feet from the Center of Section 27, Township 22 South, Range 6 East, Salt Lake Meridian.

b) Name and numerical designation for road.

The "Loop Road" will be an extension of County Road #907 connecting Emery County Roads #907 and #915.

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c) Land ownership for the right-of-way

Emery County has requested a right-of-way through Consolidation Coal Company's property for the purpose of constructing a multiple use road. The proposed alignment of the extension of County Road #907 is entirely on Consol's property. Consolidation Coal Company is willing to deed the right-of-way to Emery County as a good neighbor and in the public spirit of the Road Department.

d) Name of the entity responsible for alignment, construction, maintenance and liability for the road.

Emery County
Road Department
P.O. Box 889
Castle Dale, Utah 84513
Phone: (435) 381 - 5450

e) Name of the entity responsible for environmental permitting of the road.

Emery County
Road Department
P.O. Box 889
Castle Dale, Utah 84513
Phone: (435) 381 - 5450

f) Construction standard for the road, and the entity responsible for attaining this standard.

Emery County extension of County Road #907 will be engineered and constructed in accordance with the design standards of the American Association of State Highway Transportation Officials (AASHTO) and Utah Department of Transportation (UDOT) and will be engineered and constructed similar to other such public roads within Emery County. Emery County will oversee and direct all road construction activities.

g) Maintenance schedule for road.

Emery County will maintain the road as a permanent and integral part of the County's public road network. This road will be a Class "B" Emery County Road. The maintenance schedule for this road will be the same as for other similar Class "B" roads in the county.

h) Source of funds for construction and/or maintenance of the road.

Funding for the extension of County Road #907 will be provided by Emery County and supplemented with funding from Consol to the County. Maintenance for the road will be funded from the Utah Class "B" road funds and Emery County's general fund.

i) Examples of similar roads in Carbon and Emery Counties.

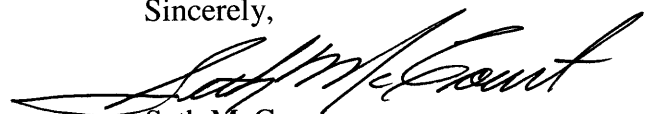
1. "C" Canyon Road; Carbon County, Utah
2. Dugout Canyon Road; Carbon County, Utah

j) Will Consolidation Coal Company have the ability to deny use of the road?

No. The extension of County Road #907 will be a County constructed and maintained, Class "B" public road. Consolidation Coal Company will deed the right-of-way to Emery County and have no jurisdiction to limit or deny use of the road by the public. This multiple use road will be used by local farmers, ranchers, recreationalists, hunters, mineral exploration and sightseers.

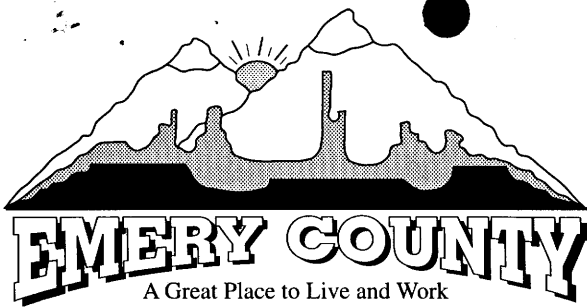
If you have any questions or concerns, please feel free to contact me at (435) 286 2301.

Sincerely,



Seth McCourt
Mining Engineer
Consol - Emery Mine

CC: Bart Hyita - Consol
John Zachwieja - Consol
Jim Noyes - Consol
Karl Skrypak - Consol
Rex Funk - Emery County Road Department
Steve Demczak - DOGM (Price Field Office)



Road Department

April 30, 2002

Seth McCourt
Consol Energy - Emery Mine
P. O. Box 527
Emery, Utah 84522

Dear Mr. McCourt:


On April 2, 2002 Mr. Hyita responded to my letter of March 20, 2002 requesting an easement through Consol properties for a "loop" extension of the Consol Road (#907). The proposed extension would connect two upper county roads (Jensen Spur #916 and Cowboy Mine Rd #915). Mr. Hyita indicated that "Consolidation would be willing to convey for the price of one dollar (\$1.00), a permanent easement (at appropriate widths) as well as any necessary construction easements over and through Consolidation surface properties for the public road.

In conferring with J & T Engineering we asked that they submit a centerline description (enclosed) for the proposed "loop" road extension. I submit this description for your consideration. We can meet, at your convenience, to go over the easement on site, please let us know when.

Also I recently had a discussion with Mr. Darron Haddock of DOGM regarding our "loop" road proposal and he indicated that he will be responding to you with a questionnaire seeking information (from Consol). We would be willing to provide any other file information should you need it.

We appreciate Consol's cooperation and willingness to work with us on the county "loop" road proposal in the public interest. Please contact us where you can meet on the proposed alignment.

Sincerely,


Rex Funk,
Road Supervisor

enclosures

cc Commissioners
J & T Engineering (Howard & Craig)
Val Payne, Public Lands

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CONSOL LOOP ROAD
CENTERLINE DESCRIPTION

Beginning at a point which is S 89°43'05" W, 894.55 feet from the Northeast corner of the Northeast quarter of Section 32, Township 22 South, Range 6 East, Salt Lake Meridian; thence S 31°47'53" E, 294.93 feet to the beginning of a circular curve to the left having a radius of 1535.00 feet and an arc length of 3619.81 feet; thence Easterly, 3619.81 feet along said curve (chord bears N 80°38'42" E, 2837.48 feet); thence N 13°05'16" E, 1058.96 feet to the beginning of a circular curve to the right having a radius of 1500.00 feet and an arc length of 1386.81 feet; thence Northeasterly, 1386.81 feet along said curve (chord bears N 39°34'27" E, 1337.94 feet); thence N 66°03'37" E, 2924.54 feet to the beginning of a circular curve to the right having a radius of 1700.00 feet and an arc length of 713.06 feet; thence Easterly, 713.06 feet along said curve (chord bears N 78°04'35" E, 707.84 feet); thence S 89°54'26" E, 1378.49 feet to a point which is N 0°13'51" W, 949.81 feet and N 89°54'26" W, 99.22 feet from the Center of Section 27, Township 22 South, Range 6 East, Salt Lake Meridian.

CONSOL Energy

CNX Coal Operations
172 Route 519
Eighty-Four, PA 15330

phone: 724/206-2006
fax: 724/206-2007
e-mail: barthyita@consolenergy.com
web: www.consolenergy.com

BART HYITA

Vice President, Operations Support

April 2, 2002

Mr. Rex Funk
Road Supervisor
Emery County Road Department
P. O. Box 889
300 North First West
Castle Dale, Utah 84513

Re: Loop Road Easement through Properties of Consolidation

Dear Mr. Funk:

Your letter dated March 20, 2002 addressed to Mr. Seth McCourt has been forwarded to me. In that letter you detail the general interest by the public, the Public Lands Council, and the Emery County Commissioners in the possible development of a "loop road" which would connect two County Roads (Jensen Spur #916 and Cowboy Mine Road #915) with Consol Mine Road #907. It appears that a majority of, if not all of, the proposed loop road would be constructed across surface properties owned by Consolidation Coal Company ("Consolidation") as set forth on the sketch attached to your letter.

Consolidation, as a good neighbor, always supported the public spirit of the Road Department, the County Commission and Special Service District No. 1. Therefore, Consolidation would be willing to convey for the price of one dollar (\$1.00), a permanent easement (at appropriate widths) as well as any necessary construction easements over and through Consolidation surface properties for the public road. Further, Consolidation agrees that J. & T. Engineering would be the appropriate firm to plot a route and survey a description for the road. Finally, Consolidation concurs that funding and other details, including possibly considering extending the existing Consolidation Road improvement project, can be discussed once the engineers develop a feasible route.

Very truly yours,



Bart J. Hyita
Vice President

cc: Dan Baker
Seth McCourt
Jim Noyes
John Zachwieja



ENGINEERING, INC.

BOX 487 • CASTLE DALE, UTAH 84513 • TELEPHONE (435) 381-2523

April 22, 2002

Emery County Road Department
PO Box 889
Castle Dale, Utah 84513

Re: Consol Loop Road
Centerline Description

Attn: Rex Funk

Dear Rex:

Enclosed is the centerline legal description of the Consol Loop Road Extension, Road #907. This proposed road will connect County Road #907 to County Road #915.

Please contact me if you have further questions.

Sincerely,

Howard Tuttle

Johansen & Tuttle Engineering

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CONSOL LOOP ROAD
CENTERLINE DESCRIPTION

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